

CALIFORNIA REGIONAL WATER QUALITY CONTROL BOARD  
SAN FRANCISCO BAY REGION

ORDER NO 83-25

ORDER REQUIRING THE VALLEJO SANITATION AND FLOOD  
CONTROL DISTRICT TO CEASE AND DESIST FROM  
DISCHARGING WASTES CONTRARY TO REQUIREMENTS  
PRESCRIBED BY THE CALIFORNIA REGIONAL WATER QUALITY  
CONTROL BOARD, SAN FRANCISCO BAY REGION AND  
RESCINDING CEASE AND DESIST ORDER NO. 81-52

The California Regional Water Quality Control Board, San Francisco Bay  
Region, (hereinafter Board) finds:

1. The Vallejo Sanitation and Flood Control District, hereinafter referred to as the discharger, owns and operates a physical-chemical wastewater treatment plant located in Vallejo. The plant treats municipal and industrial wastewater from the Vallejo area and discharges the treated wastewater to Carquinez Strait, a water of the United States.
2. The Board, on June 20, 1978, adopted Order No. 78-44 (NPDES Permit No. CA0037099) re-issuing waste discharge requirements to the District and establishing a compliance time schedule to require full compliance with the effluent limitations and all other provisions of the Permit.
3. The Board, on September 16, 1981 adopted Cease and Desist Order No. 81-52 establishing a revised time schedule for constructing facilities and achieving compliance with the requirements of Order No. 78-44.
4. The discharger completed design of needed facilities but failed to award the construction contract by the September 30, 1982 compliance date established by Cease and Desist Order No. 81-52. The discharger has attributed the failure to delays in federal and state grant funding.
5. The Board on July 20, 1983 adopted Order No. 83-24 (NPDES Permit No. CA 0037099) reissuing waste discharge requirements for the District.
6. Review of self-monitoring data show that the discharger violated the following limitations of Order No. 78-44 and is therefore threatening to violate the identical limitations as contained in Order No. 83-24:

"B. Effluent Limitations

1. Effluent discharged shall not exceed the following limits:

<u>Constituents</u>	<u>Units</u>	<u>7-day Average</u>	<u>30-day Average</u>	<u>Maximum Daily</u>	<u>Instan- taneous Maximum</u>
a. Settlable Matter	ml/l-hr	-	0.1	-	0.2
b. BOD	mg/l	45	30	60	- - -

<u>Constituents</u>	<u>Units</u>	<u>7-day Average</u>	<u>30-day Average</u>	<u>Maximum Daily</u>	<u>Instantaneous Maximum</u>
c. Suspended Solids	mg/l	45	30	60	-
					-
					-
...					
e. Chlorine Residual	mg/l	-	-	-	0.0

2. The arithmetic mean of the biochemical oxygen demand (5-day, 20°C) by weight, for effluent samples collected in a period of 30 consecutive calendar days shall not exceed 15 percent of the arithmetic mean of the respective values, by weight, for the influent samples collected approximately the same times during the same period (85 percent removal).

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4. In any representative set of samples from the treatment plants before dilution, the waste as discharged shall meet the following limit of quality:

**TOXICITY:**

The survival of test organisms acceptable to the Board in 96-hour bioassays of the effluent shall achieve a 90 percentile value of not less than 50% survival.

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6. The median value of the MPN of total coliform in any five (5) consecutive effluent samples shall not exceed 240 coliform organisms per 100 milliliters. Any single sample shall not exceed 10,000 MPN/100 ml when verified by a repeat sample taken within 48 hours."
7. The discharger has completed a facility design and submitted a revised time schedule to add biological treatment to the existing physical-chemical plant. The additional facilities are designed to assure full compliance with all effluent limitations.
8. The discharger submitted self-monitoring reports between December 1982 and April 1983 that document the occurrence of raw sewage overflows from the collection system to Mare Island Strait and the Napa River. The discharger has also submitted reports dated March 10, and May 13, 1983, documenting the occurrence of raw sewage overflows to streets, public sidewalks, a park, a school playground, and similar locations in a manner that constitutes a public health hazard.

9. The overflows referred to in Finding 8 above constitute a violation and/or threatened violation of the following requirements in Order No. 83-24:

"A. Discharge Prohibitions

1. There shall be no bypass or overflow of untreated waste water to waters of the State, either at the treatment plant or from the collection system.

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3. Discharge at any point at which the wastewater does not receive an initial dilution of at least 10:1 is prohibited.

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D. Provisions

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7. The discharger shall comply with all items of the attached "Standard Provisions, Reporting Requirements and Definitions" dated April 1977.

(Standard Provision A.1 provides as follows:

"Neither the treatment nor the discharge of wastes shall create a nuisance or pollution as defined in the California Water Code.")"

10. Said overflows have adversely affected and threaten to continue to adversely affect water quality in waters of the State and threaten to adversely affect public health.
11. The Board finds that this action is an order to enforce waste discharge requirements previously adopted by the Board. This action is therefore categorically exempt from the provisions of the California Environmental Quality Act (CEQA) pursuant to Section 15121 of the Resources Agency Guidelines.
12. On July 20, 1983, the California Regional Water Quality Control Board, San Francisco Bay Region, after due notice, held a public hearing under the provisions of Water Code Section 13301, regarding the discharge of waste and pollutants by the Vallejo Sanitation and Flood Control District.

IT IS HEREBY ORDERED THAT the discharger cease and desist from discharging wastes contrary to requirements contained in Order No. 83-24 and listed in Findings 6 and 9 of this Order. Compliance shall be achieved according to the following specifications:

- A. The discharger shall comply with Effluent Limitations B.1.a. (settleable solids), B.1.b. (BOD), B.1.c. (suspended solids), B.2 (85% removal) and B.4. (toxicity) of Order No. 83-24 according to the following time schedule:

<u>Task</u>	<u>Completion Date</u>	<u>Report of Compliance Due</u>
1. Advertise for bids	November 1, 1983	November 15, 1983
2. Award construction contract	February 1, 1984	February 15, 1984
3. Start construction	March 1, 1984	March 15, 1984
4. Submit construction progress reports		September 1, 1984 March 1, 1985 September 1, 1985
5. Complete construction	March 1, 1986	March 15, 1986
6. Achieve full compliance	April 1, 1986	April 15, 1986

- B. The discharger shall comply with Effluent Limitations B.1.e. (chlorine residual) and B.6. (coliforms) immediately.

- C. The discharger shall comply with Prohibitions C.1. (prohibition of untreated discharge), C.3. (10:1 minimum dilution) and Standard Provision A.1. (prohibition against creating public nuisance) according to the following schedule:

<u>Task</u>	<u>Report of Compliance Due</u>
1. Submit technical report containing quantitative analysis and description of overflow problems.	June 15, 1984
2. Submit technical report satisfactory to the Executive Officer, on facilities needed to comply with alternative wet weather maintenance levels, as defined in the Basin Plan. The report should include cost estimates and assessment of impact on beneficial uses and public health problems.	December 15, 1984

- D. With respect to Effluent Limitations B.1.a. (settleable solids) and B.1.c. (suspended solids), the following interim effluent limitations shall apply prior to April 1, 1986:

<u>Constituents</u>	<u>Units</u>	<u>30-Day Average</u>	<u>Instantaneous Maximum</u>
1. Settleable Matter	ml/l/hr	0.2	0.5
2. Suspended Solids	mg/l	60	

E. Provisions

1. The discharger is required to submit all the reports on progress toward compliance with this Order under penalty of perjury. If non-compliance or threatened non-compliance is reported, the reasons for non-compliance and an estimated compliance date shall be reported.
2. If the Executive Officer finds that the discharger has failed to comply with the provisions of this Order, he is authorized, after approval of the Board chairman, to request the Attorney General to take the appropriate enforcement action against the discharger, including injunction and civil monetary remedies, if appropriate, or to schedule another Cease and Desist Order hearing to consider a restriction on additional connections.
3. If the Executive Officer determines that the provisions of this Order are violated and does not refer the matter to the Attorney General, he is instructed to report to the Board the reasons that the discharger has been unable to comply with the provisions of this Order.
4. If the District diligently pursues State and Federal grant funding for eligible projects necessary to comply with this Order and a substantial portion of the grant funds for construction are not available due to reasons beyond the City's control, the Board will consider appropriate amendment of the time schedules prescribed in this Order.
5. Cease and Desist Order No. 81-52 is hereby rescinded.

I, Fred H. Dierker, Executive Officer, do hereby certify the foregoing is a full, true and correct copy of an Order adopted by the California Regional Water Quality Control Board, San Francisco Bay Region, on July 20, 1983.

FRED H. DIERKER  
Executive Officer